

## I. Scope

The policies and procedures provided herein apply to (classified, hourly, wage, faculty and/or other types pertinent to your agency) employees of (**Agency Name**). This policy shall apply to employees who are restricted in the performance of their essential functions due to compensable work-related injuries and non-occupational injuries/illnesses.

II. Policy Statement (**Decision Point No. 2**) Include a statement about why your agency believes in a return-to-work program. There are two examples that follow.

**Agency Name** believes it is in the best interest of the agency and its employees to facilitate the expedient return of staff to full duty after they have been absent due to injury, illness, or other medical condition. This policy shall be applied in situations when a full-time faculty or classified employee or part-time classified employee is restricted in the performance of their regular duties due to personal injury, illness or medical condition or due to a work-related accident/injury. This policy may, at supervisor discretion, be applied in situations when an adjunct faculty or hourly/wage employee is restricted in the performance of their regular duties due to personal injury, illness or medical condition or due to a work-related accident/injury. **Agency Name** provides for the use of transitional duty assignments and shall, to the extent possible, assist employees by temporarily modifying work assignments, duties or arranging for a temporary transfer until the employee is medically released to resume regular duties.

Or

It is **Agency Name** policy to retain our valued employees, achieve a safe and timely return of injured or ill employees to the workforce and reduce costs related to disability. Procedures have been established to effect this policy.

## III. Definitions

- A. Return-to-Work Coordinator: Designated agency staff who will act as a primary contact to the Workers' Compensation Program and will facilitate the return-to-work program.
- B. Maximum Medical Improvement (MMI): Point at which employee has recovered and no further progress is anticipated.
- C. Transitional Duty: A temporary situation when an employee returns from a personal or work-related injury or illness to medically restricted or modified duties. Duties assigned can be those identified in the employee's current job description with restrictions or another assignment.

- D. **(Decision Point No. 3)** Transitional Employment Plan (TEP): Documentation of the duties the employee will perform during the transitional duty period.
  - E. **(Decision Point No. 4 - decide if you are going to use a team)** Transitional Employment Team: Staff **(define members)** designated to develop transitional duty assignments for employees.
  - F. Virginia Sickness and Disability Program (VSDP)- Program administered by the Virginia Retirement System which provides employees with income replacement during periods of short and long-term disabilities.
  - G. Workers' Compensation Program (WCP) - Program administered by the Department of Human Resource Management for state employees in accordance with § 65.2 *Code of Virginia*.
- IV. Procedures **(Decision Point No. 5 )** (You have the option of including your claim reporting for occupational /non-occupational injuries/illnesses.)
- A. Employees must immediately notify their supervisor of work-related injuries in accordance with policy no. \_\_\_\_\_ or you can add B, C, and D that follows to discuss your workers' compensation process.
  - B. Employee's immediate supervisor will complete the Employer's Accident Report (EAR) and submit this to **(Decision Point No. 6 - define who is responsible)**.
  - C. **(Decision Point No. 7 - define who is responsible for submitting to WCP)** will review the EAR and submit it to the WCP within 10 days of the incident.
  - D. **(Decision Point No. 8 - define who is responsible)** will confirm that the employee is offered a panel of physicians. Within 24 hours of the initial visit, **(Decision Point No. 9 - define who is responsible)** will communicate with the attending physician to discuss return to work options, to include the ability to provided transitional duty.
  - E. In the case of a non-occupational injury/illness, the employee will contact the VSDP program. The VSDP program will work with the agency return-to-work coordinator, supervisor and employee to facilitate a return-to-work.
- \*\*\*RETURN-TO-WORK PROCESS BELOW WILL APPLY FOR ALL OCCUPATIONAL/NON-OCCUPATIONAL INJURIES/ILLNESSES.\*\*\*
- F. **(Decision Point No. 10 - define who is responsible)** will submit the position description and physical demands if necessary by **(define**

**timeframe**), including documentation detailing the Return-to-Work Program to the attending physician.

G: If the employee is released to return to work and can perform the essential functions of their pre-injury position, they will give the release to **(Decision No. 11- define who is responsible)** who will coordinate a start date to report to work. **(Decision Point No. 12 - define who is responsible)** will submit a supplemental report indicating this return to work to the WCP and also will notify VSDP if applicable of the employee's return to work.

H: If the employee is released to work with restrictions, the Return-to-Work Coordinator in coordination with the supervisor will review the restrictions set forth by the attending physician and will make a decision if the agency is able to provide transitional duty for the employee. Transitional duty must meet the agency's staffing needs and accommodate the employee's medical restrictions while taking into consideration the welfare and safety of the employee and their co-workers.

- I. **(Decision Point No. 13 - define who is responsible)** will schedule an initial return-to-work meeting **(within what timeframe)** with the injured/ill employee and the **(Transitional Employment Team - optional)** to coordinate the return to work. They will meet, discuss and develop transitional duties, which will focus on the employee's abilities, comply with the employee's medical restrictions, and **(Agency Name)**'s mission.
- J. **(Decision Point No. 14)** If the employee cannot return to work in their pre-injury department, the Return-to-Work Coordinator will attempt to coordinate a return to work within another department.
- K. **(Decision Point No. 15)** If transitional duty is not possible for an employee within the agency or the employee is not released to work, the **(define who is responsible)** will maintain communication with the employee, WCP, VSDP (if applicable), and the attending physician in order to obtain the employee's prognosis for recovery and the employee's functional capacity within **(indicate timeframe)**.
- L. The Return-to-Work Coordinator will complete the TEP **(or some other form of documentation)**, review it with the injured/ill employee and supervisor, obtain their signatures, and then submit it to the attending physician for approval.
- M. **(Decision Point No. 16 - define who is responsible)** will submit a supplemental report indicating this return to work to the WCP and also will notify VSDP if applicable of the employee's return to work.

- N. During transitional duty, the Return-to-Work Coordinator will meet with the injured/ill employee to discuss concerns and to evaluate progress every **(Decision Point No. 17 - define timeframe at a minimum monthly)**. This duty can be altered, upgraded, or changed in a manner consistent with medical restrictions and in accordance with an individual's improved condition.
- O. The Return-to-Work Coordinator in coordination with the supervisor may amend the transitional duty should the employee demonstrate improvement or regression. Any amendments must be resubmitted to the attending physician for approval and a copy forwarded to WCP and VSDP, if applicable.
- P. Transitional duty shall be made available to those employees who are expected to return to their pre-injury position and may not normally exceed (90 or 120) days. At the conclusion of (90 or 120) days, the supervisor in consultation with Human Resources may terminate the transitional duty assignment. If it is determined that the employee has permanent restrictions that result in his/her inability to perform the essential functions of his/her primary position, the provisions of the Americans with Disabilities Act (ADA) and other applicable laws will be applied to determine suitability for employment.

**The following sections are optional. Please use your normal agency formatting for policies.**

#### V. Responsibilities

**(Define who is responsible)** for policy and procedure oversight.

**(Define who is responsible)** for technical guidance, administration, communications and training and the assignment and supervision of Return-to-Work Coordinator.

**(Define who is responsible)** for policy and procedure execution and transitional duty assignment compliance.

**(Define who is responsible)** for coordination with agency policies and procedures concerning Workplace Safety and Health.

Return-to-Work Coordinator for routine technical guidance and assistance to supervisor and employees, communication and training coordination and employee's file and documentation maintenance.

#### VI. References

Governor's Executive Order 52(99)  
Governor's Executive Order 94(05)

§ 65.2 *Code of Virginia*

VII. Review Date

This policy shall be reviewed and revised accordingly by **(select timeframe)**.

The above policy concerning the Return-to-Work Program is hereby approved for **(Agency Name)**.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

